IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1375 OF 2001
IN
CRIMINAL APPLICATION NO.3220 OF 2000

Shripati Ganpati Ambrale ...Applicant

V/s

Shri Laxman Shankar Ambrale
and Ors. ...Respondents

Mr. Milind Deshmukh for the applicant.

Mr. A.S. Shitole, APP for the State.

None for the respondents.

CORAM: V.M.KANADE,J.
DATE: 20th January, 2005

P.C.

1. Heard the learned counsel appearing on behalf of the applicant and the learned APP for the State. None appears for respondents though served.

2. This is an application filed by the applicant seeking substitution of the name of the appellant by his name. Applicant is the son of the appellant. Appellant has died during the pendency of the appeal. It is submitted that the applicant may be permitted to pursue the appeal in view of demise of his father who was the original complainant. In view of the judgment of the Supreme Court and this Court, there is no bar for substituting the name of the deceased complainant and, in view of the ratio laid down in the said

judgments, applicant is permitted to pursue the appeal filed by the applicant. Application is allowed in terms of prayer clauses (a) and (b).

V.M. KANADE, J.